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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,272,840 Assignee: CFD Research Corp.
Issue Date: August 14, 2001 Inventors: Crocker, et al.
Application No.: 09/649518
Title: PILOTED AIRBLAST LEAN DIRECT FUEL INJECTOR

PETITION FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED PAYMENT
OF MAINTENANCE FEE IN AN EXPIRED PATENT

January 17, 2012
Via Hand Delivery

Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450
571-273-8300

Dear Sir:

USPTO
RECEIPTS ACCOUNTING
DIVISION
2012 JAN 20 PM 4:43

CFD Research Corporation is the owner of the above-referenced patent. Our company was previously represented by a patent agent, Tomas Friend (Reg. No. 54789). I hereby revoke all previous powers of attorney given with regard to this patent and request that all future correspondence be directed to CFD Research Corporation at the address indicated in the attached change of correspondence form.

Our company recently discovered that the 6,272,840 patent had expired, and we believe this has occurred in error. In accordance with patent office procedure, a petition for acceptance of unintentionally delayed payment was submitted via facsimile on November 15, 2010, in conjunction with the appropriate fees.

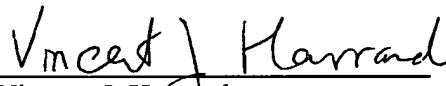
Our patent agent indicated to us in November of 2010 that both the maintenance fees and the petition were received by the patent office. Furthermore, he indicated to us via email that he had a "confirmation of fax receipt" by the patent office for the petition itself (see attached email).

Unfortunately, our patent agent has since relocated outside the United States, and several attempts to contact him for this confirmation receipt have failed.

It was indicated to us through patent office personnel that the fees were accepted by the PTO on November 19, 2010. However, it appears that our petition was never recorded; thus, no decision on the petition was made and the patent was listed as expired.

After speaking with patent office attorneys in the petitions department, it was indicated to us that the acceptance of fees in November of 2010 is within the required period, and our petition can be reviewed by the patent office and patent reinstated. The petition as originally faxed is attached hereto. Again, please reconsider this petition in light of the circumstances of this error.

Respectfully Submitted,



Dr. Vincent J. Harrad
Vice President
Technology Commercialization
Direct Dial: 256.726.4814

CFD Research Corporation
215 Wynn Drive
Huntsville, Alabama 35805
256.726.4800

Attachments:

1. Proof of Assignment
2. Change of Correspondence
3. Original Petition
4. Original email: "petition to revive and payment have been received by PTO."

Vincent Harrand

From: Tomas Friend [tf@tfpatents.com]
Sent: Monday, November 29, 2010 7:31 AM
To: Vincent Harrand
Subject: US 6,272,840 Fuel Injector Patent
Attachments: Petition - unintentionally delayed payment.pdf

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FEB 06 2012

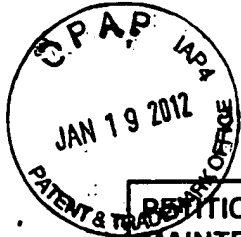
OFFICE OF PETITIONS

Dear Vincent,

A petition to reinstate the above-referenced patent and payment of the corresponding fees has been faxed to the USPTO. The Office has confirmed the receipt of the fax and our credit card has been charged for the amount specified in the fax. A copy of the fax we sent is attached.

As soon as we receive word from the USPTO regarding their decision, we will let you know.

Our attempts to transmit the petition to the USPTO electronically revealed a software incompatibility that we will try resolve in the next few days. You will, of course, not be invoiced for the time we spent trying to submit the petition electronically.



Copy

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

RECEIVED

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

FEB 06 2012
OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,272,840Application Number 09/649,518Issue Date 2001-08-14Filing Date 2000-08-29

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above – identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date_____
Signature_____
Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1,240	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1,240

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1,640

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ _____

☐ Please charge Deposit Account No. _____ the sum of \$ _____

☒ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

7. OVERPAYMENT

As to any overpayment made please

OR

☐

Credit to Deposit Account No. _____

☒

Send refund check


WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



 Signature(s) of Petitioner(s)

2010-11-15

Date

Tomas Friend

Typed or printed name(s)

54789

Registration Number, if applicable

256-270-1099

Telephone Number

886 Indian Rock Road, Strasburg, VA 22641

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

☒

Maintenance Fee Payment

☒

Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)

☒

PTO-2038 PTO-2038 in the amount of \$2,880 for
 payment of maintenance fee and surcharge



PTO/SB/123 (11-08)

Approved for use through 11/30/2011. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**CHANGE OF
CORRESPONDENCE ADDRESS
Patent**Address to:
Mail Stop Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Number	6,272,840
Issue Date	August 14, 2001
Application Number	09/649518
Filing Date	August 29, 2000
First Named Inventor	David S. Crocker
Attorney Docket Number	

RECEIVED**FEB 06 2012****OFFICE OF PETITIONS**

Please change the Correspondence Address for the above-identified patent to:

☐ The address associated with Customer Number:**OR**☒ **Firm or Individual Name** CFD Research Corporation

215 Wynn Drive

Address**City** Huntsville**State** Alabama**ZIP** 35805**Country** US**Telephone** 256-726-4814**Email** vjh@cfsrc.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

I am the:

☐ Patentee.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☐ Attorney or agent of record. Registration Number _____**Signature***Vincent J. Harrand***Typed or Printed Name**

Vincent J. Harrand

Date 1/17/2012**Telephone** 256-726-4814**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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STATEMENT UNDER 37 CFR 3.73(b)

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Applicant/Patent Owner: CFD Research Corporation

Application No./Patent No.: 6,272,840

Filed/Issue Date: August 14, 2001

FEB 06 2012

Titled: PILOTED AIRBLAST LEAN DIRECT FUEL INJECTOR

OFFICE OF PETITIONS

CFD Research Corporation

, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
the patent application/patent identified above, by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011360, Frame 0454, or for which a copy therefore is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Vincent J. Harrand

1/17/2012

Date

Dr. Vincent J. Harrand

Vice President, Technology

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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